

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Alyssa Rogowski	Team: Squad #14	CCRB Case #: 201905408	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/19/2019 11:00 PM	Location of Incident: § 87(2)(b)	Precinct: 81	18 Mo. SOL 12/19/2020	EO SOL 8/5/2021	
Date/Time CV Reported Thu, 06/20/2019 1:00 AM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Thu, 06/20/2019 10:46 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. LSA Michael Raso	00000	933235	SRG
2. POM Steven Cruver	11884	950250	SRG
3. POM Joseph Spina	15556	953436	SRG

Officer(s)	Allegation	Investigator Recommendation
A.POM Steven Cruver	Abuse: Detective Steven Cruver stopped § 87(2)(b)	§ 87(2)(b)
B.LSA Michael Raso	Abuse: Lieutenant Michael Raso stopped § 87(2)(b)	§ 87(2)(b)
C.POM Joseph Spina	Abuse: Detective Joseph Spina stopped § 87(2)(b)	§ 87(2)(b)
D.POM Steven Cruver	Abuse: Detective Steven Cruver frisked § 87(2)(b)	§ 87(2)(b)
E.POM Steven Cruver	Abuse: Detective Steven Cruver searched § 87(2)(b)	§ 87(2)(b)
F.POM Steven Cruver	Abuse: Detective Steven Cruver damaged § 87(2)(b)'s property.	§ 87(2)(b)
G.POM Steven Cruver	Abuse: Detective Steven Cruver searched the vehicle in which § 87(2)(b) was an occupant.	§ 87(2)(b)
H.POM Steven Cruver	Abuse: Detective Steven Cruver failed to provide § 87(2)(b) with a business card.	§ 87(2)(b)
I.LSA Michael Raso	Abuse: Lieutenant Michael Raso failed to provide § 87(2)(b) with a business card.	§ 87(2)(b)
J.POM Joseph Spina	Abuse: Detective Joseph Spina failed to provide § 87(2)(b) with a business card.	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)

Case Summary

On June 20th, 2019, § 87(2)(b) filed this complaint in person at the 81st Precinct stationhouse. § 87(2)(b)'s complaint was received at the CCRB on June 20th, 2019.

On June 19th, 2020, at around 11:00pm, § 87(2)(b) went to his father's vehicle, which was parked near § 87(2)(b) in Brooklyn. § 87(2)(b) entered the front passenger seat of the vehicle and after about a minute, was stopped by three officers, identified as Detective Steven Cruver, Detective Joseph Spina, and Lieutenant Michael Raso, all of Strategic Response Group's Anti-Crime Unit (**Allegations A – C: Abuse of Authority, § 87(2)(g)**). Det. Cruver ordered § 87(2)(b) to exit his vehicle, then frisked (**Allegation D: Abuse of Authority, § 87(2)(g)**) and allegedly searched § 87(2)(b) (**Allegation E: Abuse of Authority, § 87(2)(g)**). Det. Cruver took § 87(2)(b)'s phone from § 87(2)(b)'s hand and allegedly cracked the phone (**Allegation F: Abuse of Authority, § 87(2)(g)**). § 87(2)(b) then stood at the rear of his vehicle while Det. Cruver searched his vehicle (**Allegation G: Abuse of Authority, § 87(2)(g)**).

After Det. Cruver searched his vehicle, § 87(2)(b) was allowed to leave from the scene and was not issued any summonses. Det. Cruver, Lieutenant Raso, and Det. Spina all failed to provide RTKA cards to § 87(2)(b) (**Allegations H – J: Abuse of Authority, § 87(2)(g)**).

§ 87(4-b), § 87(2)(g)

The investigation obtained BWC footage from Det. Cruver, Lieutenant Raso, and Det. Spina capturing this incident (Board Review 04, 05, 06). The investigation also obtained a cellphone video that captures a portion of this incident (Board Review 07).

Findings and Recommendations

Allegation A—Abuse of Authority: Detective Steven Cruver stopped § 87(2)(b)

Allegation B—Abuse of Authority: Lieutenant Michael Raso stopped § 87(2)(b)

Allegation C—Abuse of Authority: Detective Joseph Spina stopped § 87(2)(b)

§ 87(2)(b) stated that on the evening on June 19th, 2019, he went to a corner store at Broadway and Madison Street in Brooklyn to pick up food (Board Review 01, 02, 03). § 87(2)(b) then took his food to his father's car, a § 87(2)(b), which was parked across the street from his apartment near § 87(2)(b). § 87(2)(b) stated that the car was legally parked but that the vehicle does not run due to an engine problem. § 87(2)(b) stated that when he approached the vehicle, he inserted the key to unlock the front passenger door. § 87(2)(b) entered the front passenger seat with his food. § 87(2)(b) was alone in the vehicle.

§ 87(2)(b) had been sitting in the car on his phone for about a minute when Det. Cruver, Det. Spina, and Lieutenant Raso approached his vehicle. § 87(2)(b) saw flashlights shining into his vehicle, then one of the officers told him to exit the vehicle. § 87(2)(b) opened the car door and told the officers that the car belonged to his father and showed them that he had the keys. § 87(2)(b) stated that the officers repeated for him to get out around three times before he exited the vehicle.

§ 87(2)(b) stated that one of the officers told him they had seen him “looking around” before he got into the car. The officers did not tell § 87(2)(b) that they thought he was in someone else's car, they only told him that he had been looking around.

The cellphone footage obtained by this investigation was taken by a bystander, § 87(2)(b) who only arrived on scene and began recording after the search of § 87(2)(b)'s vehicle. As such, the cellphone video does not capture these allegations (Board Review 07). § 87(2)(b) has remained unavailable to the investigation.

Det. Cruver, Lieutenant Raso, and Det. Spina all activated their body-worn cameras during this incident, however, the footage only captures the officers approaching § 87(2)(b)'s vehicle,

and does not capture any of § 87(2)(b)'s movements prior to the officers' approach (Board Review 04, 05, 06).

Det. Spina, Lieutenant Raso, and Det. Cruver were all interviewed about this incident (Board Review 08, 09, 10). As Citywide anticrime, Det. Spina, Lieutenant Raso, and Det. Cruver are assigned to certain parts of the city, which are experiencing upticks in violent crimes such as guns, robberies, and stolen cars. On June 19th, 2020, Det. Spina, Lieutenant Raso, and Det. Cruver were assigned to the 77th and 79th Precincts, which border the 81st Precinct where this incident occurred. None of the officers recalled any specific crime conditions for that particular day or area. Lieutenant Raso stated that he was familiar with the area of the incident but did not have any specific association with the intersection where he encountered § 87(2)(b).

Det. Spina, Det. Cruver, and Lieutenant Raso all stated that they were seated in their police vehicle when they observed § 87(2)(b) approach a "derelict-looking" vehicle. Det. Spina and Det. Cruver described the vehicle that § 87(2)(b) approached as an older vehicle with out of state plates. Det. Cruver, Det. Spina, and Lieutenant Raso all stated that the vehicle looked like it had been parked there for some time, referencing dust and the general condition of the vehicle.

Lieutenant Raso stated that he was driving and Det. Cruver stated that he was in front passenger seat. All three officers stated that although they were on the street in their vehicle and § 87(2)(b) was on the passenger side of his vehicle, which was on the sidewalk edge of the street, they were clearly able to see § 87(2)(b)'s movements. Both Lieutenant Raso and Det. Cruver stated that the lighting conditions where they observed § 87(2)(b) were poor.

Det. Spina, Det. Cruver, and Lieutenant Raso all provided the following fact pattern: § 87(2)(b) was alone when he walked down the sidewalk towards his vehicle while looking around himself, which, as per their training and experience, they all interpreted as § 87(2)(b) checking that he was not being watched, in particular by the police. All three officers noted that it was the manner in which § 87(2)(b) was looking around himself that drew their attention.

Though all three officers mentioned the state of the vehicle, all three stated that what drew their attention to § 87(2)(b) were his actions of looking around, not the vehicle itself. Lieutenant Raso added that vehicles like that are often used as locations to stash weapons and drugs. It was a combination of what he observed from § 87(2)(b)'s actions and this prior experience with vehicles being used as stashes that led Lieutenant Raso to want to further investigate. Det. Cruver stated that in his training and experience, he had knowledge of individuals using abandoned vehicles to stash contraband but that he was not thinking about the vehicle being used to stash items when he observed § 87(2)(b).

Neither Det. Cruver nor Det. Spina observed either any bulges on § 87(2)(b) or that he was carrying anything that seemed suspicious. Lieutenant Raso observed that § 87(2)(b) was holding a plastic bodega bag in his hand. Lieutenant Raso stated that when § 87(2)(b) reached his vehicle, he looked around as if to check that no one was watching him, then § 87(2)(b) opened the door to the vehicle, placed something inside the vehicle, got into the vehicle on the passenger side, and closed the door. Lieutenant Raso did not know if the item that § 87(2)(b) placed inside the vehicle was the bag that § 87(2)(b) had been holding.

Det. Cruver stated that § 87(2)(b) opened the front passenger door, then appeared to reach towards his waistband area and remove an unknown item. Det. Cruver clarified that he could not actually see what § 87(2)(b) removed nor could he see exactly where § 87(2)(b) reached, rather it looked like he went towards his waistband and looked like he removed something from that area. Det. Cruver clarified that it was very dark so he really could not see where § 87(2)(b) actually reached and stated that it could have been his pocket or inside his jacket. § 87(2)(b) then leaned inside the vehicle, making it appear to Det. Cruver that he had just placed whatever he removed into the vehicle. § 87(2)(b) then stood up next to the vehicle and again looked around him before entering the vehicle to sit in the front passenger seat. Det. Cruver stated that the way that the way § 87(2)(b) was looked around combined with how he reached into his clothing as described raised Det. Cruver's suspicion.

Det. Cruver added that usually when people carry illegal firearms, if they are carrying the firearm in their waistband, they will remove that firearm prior to sitting down because it would be very uncomfortable to sit down with a firearm in the waistband. Det. Spina added that it was possible that § 87(2)(b) had a weapon on him because of the way he was looking around and because that is something that he and his partners deal with when they are deployed to an area. Det. Spina stated that looking around as if for the police is one of indicators that he and his partners encounter frequently. When asked if there was a specific crime that he suspected § 87(2)(b) of committing, Lieutenant Raso stated that he thought that § 87(2)(b) either just did, was about to, or was in the process of committing some kind of auto larceny or that he was using the vehicle to stash weapons, narcotics, or other contraband.

Neither Det. Spina nor Lieutenant Raso observed that § 87(2)(b) had any issues opening the door to the vehicle. Det. Cruver did not recall if § 87(2)(b) had any problem opening the vehicle. None of the officers recalled if § 87(2)(b) used a key to enter the vehicle.

When asked if anything heightened his suspicion upon approaching § 87(2)(b) Det. Spina stated that § 87(2)(b) was moving around a lot inside the vehicle but that there was nothing that he could specifically attest to. Det. Cruver stated that he could not see § 87(2)(b)'s hands and just recalled that he was moving around inside the vehicle. Det. Cruver added that he could not clearly see through the window because it was either dirty or fogged up. Det. Spina, Det. Cruver, and Lieutenant Raso all noted that it was odd that § 87(2)(b) entered the front passenger seat rather than the driver's seat.

Det. Spina estimated that he and his partners observed § 87(2)(b) for a couple of seconds before approaching him while Lieutenant Raso stated that it was less than a minute. Lieutenant Raso, who was driving, stated that the police vehicle was in motion when he and his partners made these observations about § 87(2)(b). Det. Cruver, who was in the front passenger seat, believed that the police vehicle had been stopped at the intersection diagonally across from § 87(2)(b)'s vehicle and were about 30 feet away.

Det. Cruver did not remember if either he or one of his partners specifically made the decision to execute this stop. Det. Spina did not recall any conversation amongst him and his partners about deciding to approach § 87(2)(b). Lieutenant Raso did not recall any conversation between him and his partners about his observations of § 87(2)(b) nor did he recall whose decision it was to stop § 87(2)(b). After observing § 87(2)(b) enter his vehicle, Det. Cruver, Det. Spina, and Lieutenant Raso all exited their vehicle and approached § 87(2)(b)'s vehicle. After shining his flashlight at the vehicle and indicating for § 87(2)(b) to open the door, Det. Cruver ordered § 87(2)(b) to exit his vehicle, affecting the stop of § 87(2)(b).

Det. Cruver prepared a stop report for this incident, stating in sum and substance the same narrative he provided in his interview (Board Review 11).

People v. De Bour, 40 N.Y.2d 210 outlines that where a police officer entertains a reasonable suspicion that a particular person has committed, is committing or is about to commit a felony or misdemeanor, CPL 140.10 authorizes a forcible stop and detention of that person (Board Review 12).

NYPD Patrol Guide Procedure 212-11 defines reasonable suspicion as existing when “the information known to the member of service would make an ordinarily prudent and cautious police officer under the circumstances believe that a felony or Penal Law misdemeanor has been, is being, or is about to be committed. The officer must have a particularized and objective basis for suspecting the person stopped of the criminal conduct. The officer must be able to articulate specific facts establishing justification for the stop; hunches or gut feelings are not sufficient.” (Board Review 13).

People v. Cornelius, 113 A.D.2d 666 (N.Y. App. Div. 1st Dep't January 7, 1986) states that, “the constitutional protections against unwarranted intrusion by an agent of the State are not relaxed when an individual goes for a walk, or engages in other innocent behavior, in a public area statistically known for a high incidence of crime” (Board Review 14).

§ 87(2)(g)

Allegation D—Abuse of Authority: Detective Steven Cruver frisked § 87(2)(b)

Allegation E—Abuse of Authority: Detective Steven Cruver searched § 87(2)(b)

§ 87(2)(b) stated that as soon as he exited the vehicle, Det. Cruver patted down his pants pockets. In his initial phone statement, § 87(2)(b) stated that Det. Cruver entered his pockets to search, while in his in-person interview, § 87(2)(b) could not recall if Det. Cruver entered his pockets. The officers did not mention the smell of marijuana or anything about marijuana and § 87(2)(b) denied that the vehicle smelled like marijuana. § 87(2)(b) stated that he has never smoked in the vehicle and that he did not recall smelling marijuana in the area at all during this incident.

None of the BWC footage from this incident clearly captures Det. Cruver's frisk and alleged search of § 87(2)(b). Det. Cruver's BWC captures PO Cruver appearing to frisk § 87(2)(b) along his torso and legs, however, because he is so close to § 87(2)(b) the footage does not clearly show if Det. Cruver enters § 87(2)(b)'s pockets or where exactly he frisks § 87(2)(b) (Board Review 04, 0:55 – 1:15). Lieutenant Raso's BWC shows § 87(2)(b) exit his vehicle with his phone in one hand. The video is then clear due to Lieutenant Raso standing behind § 87(2)(b) but shows PO Cruver makes contact with § 87(2)(b) likely frisking him. § 87(2)(b) is standing next to his vehicle with his hands on the roof (Board Review 05, 0:40-0:59).

Det. Cruver, Det. Spina, and Lieutenant Raso all recalled that upon the front passenger door to § 87(2)(b)'s vehicle being opened, they observed an odor of marijuana emanating from the vehicle. Det. Cruver stated that he ordered § 87(2)(b) to get out of the vehicle because, one, he wanted to figure out what § 87(2)(b) may have placed into the car and what he was doing with the moving around inside the car and two, because of the odor of marijuana. Det. Cruver then frisked § 87(2)(b)'s waist and torso for his own safety. Det. Cruver denied having observed any bulges on § 87(2)(b)'s person when he was speaking with him. Det. Cruver stated that he also frisked § 87(2)(b) because the observations he had made of § 87(2)(b) reaching around his waistband made him suspect that § 87(2)(b) may have had a weapon. Det. Cruver denied that there was any other reason for frisking § 87(2)(b). Det. Cruver stated that he did not think that he searched § 87(2)(b)'s person.

When asked if he had given Det. Cruver any less instructions to take these particular actions, Lieutenant Raso stated that he did not have to, rather when § 87(2)(b) exited the vehicle, Det. Cruver searched and frisked § 87(2)(b) due to the odor of marijuana. Lieutenant Raso did not observe any bulges or anything suspicious on § 87(2)(b)'s person to add to the suspicion created by the odor of marijuana. No contraband was removed from § 87(2)(b)'s person during this search.

People v. Chestnut, 43 A.D.2d 260 established that the odor of marijuana could be sufficient to provide officers with probable cause to search an automobile and its occupants (Board Review 15).

People v. Norman, 142 A.D.3d 1107 (N.Y. App. Div. 2d Dep't September 21, 2016) extended the findings in People v. Chestnut to apply to odor of marijuana emanating from a parked vehicle (Board Review 16).

§ 87(2)(g)

Allegation F—Abuse of Authority: Detective Steven Cruver damaged § 87(2)(b)'s property.

§ 87(2)(b) stated that as he was getting out of the vehicle, he was holding his cell phone, an iPhone 10, and dialing to call his father. Det. Cruver told him to put the phone down and to hang up. § 87(2)(b) tried to call his father twice with Det. Cruver continuing to tell him to not use his phone. Det. Cruver then grabbed onto the cell phone. § 87(2)(b) held onto one side as Det. Cruver pulled on the other side. While Det. Cruver pulled on the phone, § 87(2)(b) tried to explain that he was calling his father. § 87(2)(b) then heard a crack, looked down, and saw that the force of the pulling had cause spider web cracks in the back of his phone. § 87(2)(b) showed the phone to Det. Cruver and asked if he saw what he had just done to his phone. Det. Cruver stated that he did not damage § 87(2)(b)'s phone, then took § 87(2)(b)'s phone and placed onto the dashboard.

On August 29th, 2019, § 87(2)(b) brought his iPhone into his in-person interview. The phone had spiderweb cracks all over the back as described by § 87(2)(b). A photograph was taken of the damaged phone (Board Review 22).

BWC footage from Lieutenant Raso's BWC shows that Det. Cruver instructs § 87(2)(b) multiples times to stop trying to use his phone (Board Review 05, 1:05 – 1:23). Between 1:18 – 1:23, Det. Cruver pulls the phone from § 87(2)(b)'s hand. A cracking sound can be heard, then § 87(2)(b) states that Det. Cruver broke his phone. BWC footage from Det. Spina shows that at the end of the interaction, § 87(2)(b) tells the officers that he is going to call 911 about his cracked phone. Det. Cruver asks § 87(2)(b) if he's going to call 911 about "the cracked phone that you refused to put down after we asked you four times, that you were squeezing in your hand when I was trying to get it from you so you couldn't use it as a weapon against us?" § 87(2)(b) tells PO Cruver that the phone was not a weapon (Board Review 06, 7:13-7:38).

Det. Cruver stated that when § 87(2)(b) exited the vehicle, he had his phone in his hand. Det. Cruver told § 87(2)(b) to put the phone away. Det. Cruver explained in his interview that he would not let § 87(2)(b) hold something in his hand that could be used to hit either him or his partners, which was why he was so adamant about § 87(2)(b) putting the phone away. Det. Cruver added that he did not want § 87(2)(b) to call anyone else over to the stop location because emotions were already elevated and more people would add more confusion to the stop. § 87(2)(b) refused to put the phone down and continued to try to make a phone call. Det. Cruver asked § 87(2)(b) numerous times to put the phone away and when he did not, Det. Cruver grabbed the phone from § 87(2)(b)'s hand and placed it on the dashboard of § 87(2)(b)'s vehicle. Det. Cruver denied that his action to take the phone from § 87(2)(b) caused any damage to the phone. Det. Cruver denied hearing anything that indicated his taking the phone caused damage to the phone. Det. Cruver recalled at the very end of the stop, § 87(2)(b) did approach Det. Cruver and talked about damage to his phone, at which point Det. Cruver told § 87(2)(b) that he did not throw or drop § 87(2)(b)'s phone.

Both Lieutenant Raso and Det. Spina recalled § 87(2)(b) had refused to put down or let go of his phone and both recalled that it was Det. Cruver who ultimately took the phone from § 87(2)(b). Neither Lieutenant Raso nor Det. Spina observed anything to indicate that Det. Cruver had damaged the phone when he took it from § 87(2)(b) though both recalled § 87(2)(b) stating that

Det. Cruver had broken his phone at some point during the interaction.

§ 87(2)(g)

Allegation G—Abuse of Authority: Detective Steven Cruver searched the vehicle in which § 87(2)(b) was an occupant.

After Det. Cruver took § 87(2)(b)'s phone, § 87(2)(b) stood at the rear of his vehicle with Lieutenant Raso and Det. Spina. Det. Cruver then searched § 87(2)(b)'s vehicle. § 87(2)(b) stated that he was able to see Det. Cruver searching the vehicle and recalled that he searched in the front and in the rear passenger seats, leaning the seats forward to look at the back. The search of the vehicle lasted less than five minutes. After Det. Cruver searched the vehicle, the officers reviewed § 87(2)(b)'s ID, then told § 87(2)(b) that he was good to go.

None of the officers told § 87(2)(b) why they searched the car. § 87(2)(b) denied that the officers ever asked him about marijuana. § 87(2)(b) denied that it was possible that the vehicle smelled like marijuana and stated that he has never smoked marijuana in the vehicle.

§ 87(2)(b) stated that § 87(2)(b) arrived on scene while Det. Cruver was searching his vehicle, however, the cellphone footage taken by § 87(2)(b) does not capture the vehicle search and rather, only captures § 87(2)(b) standing at the rear of his vehicle with several officers (Board Review 07).

Body-worn camera footage from Det. Cruver shows that Det. Cruver searches the front passenger compartment of the vehicle, including the glove compartment, for approximately two minutes (Board Review 04, 1:31 – 3:36).

Det. Cruver stated that the reasons he searched the vehicle were one, to see if there was any weapon placed in that area of the car and two, if there was any marijuana. Det. Cruver stated that he searched the front passenger compartment, glove box, general grabbable area, and quickly looked behind the front seats. Det. Cruver stated that he found marijuana rolling papers but no marijuana or contraband. Det. Cruver could not recall where in the vehicle he found the rolling papers. At some point, Det. Cruver learned that the vehicle belonged to § 87(2)(b)'s father. Det. Cruver ran the license plate and confirmed that the vehicle was not stolen.

People v. Norman, 142 A.D.3d 1107 (N.Y. App. Div. 2d Dep't September 21, 2016) held that officers' detection of the odor of burnt marijuana emanating from a parked vehicle provided probable cause for the search of the vehicle (Board Review 16).

§ 87(2)(g)

Allegation H—Abuse of Authority: Detective Steven Cruver failed to provide § 87(2)(b) with a business card.

Allegation I—Abuse of Authority: Lieutenant Michael Raso failed to provide § 87(2)(b) with a business card.

Allegation J—Abuse of Authority: Detective Joseph Spina failed to provide § 87(2)(b) with a business card.

§ 87(2)(b) stated that while he was at the rear of the vehicle, he asked one officer for his name and that officer provided his information. § 87(2)(b) stated that after Det. Cruver completed the search of the vehicle, the officers shook his hand and left without providing any summons or business card.

BWC footage from Det. Cruver's and Lieutenant Raso's cameras end with the officers walking back to their vehicle (Board Review 04, 05). Det. Spina's BWC ends with officers arguing with § 87(2)(b) about whether they broke his phone (Board Review 06).

Det. Cruver stated that § 87(2)(b) asked for his name and shield number, which he provided. Det. Cruver stated that he did not provide a business card to § 87(2)(b) because he did not have any on him. Det. Cruver stated that this kind of stop is an instance in which he would provide a business card. Det. Cruver clarified that he had not run out of cards, he just did not have any on him.

Lieutenant Raso stated that he did not provide a business card to § 87(2)(b) because he did not have one. Lieutenant Raso had run out and made sure once the evening ended to get more from his office. Lieutenant Raso did not see his partners provide business cards. Lieutenant Raso stated that he did provide his name.

Det. Spina stated that usually when someone asks for a business card, he would provide one. He did not recall if that was the case was this particular stop. Det. Spina stated that he generally proactively offers business cards any time he interacts with civilians, but he did not remember if he did so in this instance.

New York City Administrative Code §14-174 states that during certain enumerated law enforcement activities including level three pedestrian stops and searches of a person or vehicle, officers are required to identify themselves to the subject of the enforcement activity (Board Review 17). At the conclusion of the interaction, officers are required to offer a business card to the subject at the conclusion of any such activity that does not result in an arrest or summons; offer to provide to such person the information set forth in paragraph 1 of subdivision f on a hand-written card, when such officer does not have an adequate number of pre-printed business cards on his or her person at the time of such law enforcement activity; and offer to provide to such person the information set forth in paragraph 1 of subdivision f verbally and allow sufficient time for such person to record such information when such officer does not have an adequate number of pre-printed business cards or hand-written cards on his or her person at the time of such law enforcement activity.

§ 87(2)(g)

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§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been party (Board Review 18).
- Det. Cruver has been a member-of-service for eight years and has been a subject in four CCRB complaints and eight allegations, none of which have been substantiated. § 87(2)(g)
- Det. Spina has been a member-of-service for seven years and has been a subject in three CCRB complaints and 11 allegations, of which four were substantiated.
 - 201310805 involved substantiated allegations of frisk, retaliatory summons, threat of arrest, and vehicle search. The Board recommended command discipline and the NYPD did not impose any disciplinary action.
 - § 87(2)(g)
- Lieutenant Raso has been a member-of-service for 16 years and has been subject in 19 CCRB complaints and 64 allegations, of which 12 were substantiated.
 - 200801117 involved substantiated allegations of gun pointed and stop of person. The Board recommended command discipline and the NYPD imposed instructions.
 - 200902991 involved a substantiated allegation of vehicle stop. The Board recommended charges and NYPD imposed instructions.
 - 201106779 involved a substantiated allegation of vehicle stop. The Board recommended charges and NYPD did not impose any penalty due to statute of limitations.
 - 201408513 involved substantiated allegations of entry of premises, search of premises, and property damage. The Board recommended formalized training and the NYPD imposed formalized training.
 - 201502152 involved substantiated allegations of frisk and vehicle search. The Board recommended charges and Lieutenant Raso was found not guilty in an APU trial.
 - 201505414 involved substantiated allegations of entry of premises and seizure of property. The Board recommended charges and Lieutenant Raso was found not guilty in an APU trial.

- 201905760 involved a substantiated allegation of discourteous action. The Board recommended formalized training and the NYPD has not yet imposed discipline.
- § 87(2)(g) [REDACTED]

Mediation, Civil and Criminal Histories

- § 87(2)(b) [REDACTED] declined to mediate this complaint.
 - § 87(2)(b) [REDACTED] filed a Notice of Claim with the City of New York claiming property damage and seeking \$800 as redress (Board Review 19).
 - According to the Office of the Court Administration (OCA), § 87(2)(b) [REDACTED] has no history of convictions in New York City (Board Review 20).
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Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date